

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 4, 2004 LR 209

back. It was clear apparently to everybody that that's what the money was to be used for, even though it did not say it in the proposed constitutional amendment. So you sort of knew what people were thinking when they voted, even though it was not a part of the language in the actual amendment?

SENATOR LANDIS: My recollection is that we at the same time passed a bill showing the public what the starting place would be. It wasn't simply publicity. It wasn't a campaign promise. This Legislature said, here's the starting...this is what the Legislature will do with the money. However, that was statutory, when the commitment that the public gave us was constitutional. This--if I can go back to point number...

SENATOR RAIKES: Sure. Sure. Please.

SENATOR LANDIS: ...one--affirms constitutionally those original purposes, which, as you point out, the Legislature is free to ignore. Secondly, it is more than a referendum. It provides a continuing basis of support for a long-standing tradition and, namely, a social good, the State Fair.

SENATOR VRTISKA: One minute.

SENATOR LANDIS: And third--and this does not exhaust my list--but third, that what it does is it takes the issue back to the public for their confirmation that that is an appropriate use of lottery funds. So your word for it was poll, but I would say that that's a very legitimate third rationale for the constitutional amendment, that, in fact, rather than raiding the money for a purpose inconsistent with what we promised, we go back to the public and ask their permission if this is a purpose that rivals and equals their original intent in passing the lottery.

SENATOR RAIKES: Okay. I object a little bit, I think, to the word "raid." Are you implying that people didn't understand the difference between constitution and statute, so that they...

SENATOR VRTISKA: Time.